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22871 2.5³⁵

Bt from A. Boyle.

ADDRESS
OF
W. D. EVANS, ESQUIRE,
AT THE
NEW BAYLEY COURT-HOUSE,
Salford,

On discharging the Prisoners who were apprehended,

ON ACCOUNT OF AN
ILLEGAL ASSEMBLY AT MANCHESTER,

On the 10th of March, 1817.



MANCHESTER :

PRINTED BY J. AND J. HARROP, AT THE MERCURY AND BRITISH VOLUNTEER OFFICE.

1817.



“ **T**HE persons now present, fifty-three in number, are, with the exceptions, which I shall advert to, the whole of those who still remain in custody, on account of the illegal and disgraceful transactions which took place in Manchester on the 10th of the present month. Of the others who were apprehended, some were discharged in consequence of its appearing that they had only accidentally joined themselves to the concourse then assembled; several have been liberated upon recognizance, with sureties, which according to the qualities of their respective cases, have been taken to appear at the sessions, or only for their good behaviour. Others without sureties, upon satisfactory testimonials being given of their former good character; and a great many others yesterday, upon the certificate of Mr. Dunstan, representing the propriety of their conduct during their confinement,

“ The time is now arrived, when, with the sanction of His Majesty’s government, the magistrates feel themselves authorized to liberate the persons who now appear before them; but previous to their dismissal we think it not unimportant that some observations should be made respecting the nature and character of the proceedings in which they have been engaged,

“ If the information which has been received from different persons, respecting the proceedings which took place both at and previous to the general meeting on the day which I have alluded to, is at all correct, I have no hesitation or difficulty in stating it, as the result of that information, that all persons who have connected themselves with the objects of that meeting are implicated in the highest offence known to the law. It is a clear and established rule, that all persons who

associate together, in order to obtain by terror and violence an alteration in the laws and government of the country, are affected with the guilt of high treason.

“ It has been represented to us, that at meetings, not held in a corner, but in the presence of several thousand persons, the individuals who were invited to proceed to the metropolis were informed that when they arrived at Birmingham they might rely upon assistance, after which they need be under no apprehensions from either the civil or the military power. It has been stated that at the very meeting itself, one of the leading actors in these transactions, in the speech which he made to his associates, adverted to a rebellion which took place in the reign of Richard 2d, and informed them that at that period ~~30,000 had assembled in London to demand their rights, and~~ had obtained them; but that those who had then assembled would rank much higher in the page of history, as the others had only advanced from different places in the neighbourhood of London, and had not undertaken any thing like the journey which was now proposed from Manchester. Without saying any thing to prejudice the facts to which this information applies, there can be no difficulty in declaring the law to be that if such declarations were actually made, the whole of the persons who were connected with the subsequent proceedings have completely and decidedly incurred a liability to punishment for high treason.

“ But waiving the further discussion of that question, it is important that it should be known and understood, that all the prisoners now present, and all others who have engaged with them in the same proceedings, even upon their own account of the transaction, have been guilty of a criminal offence of no inconsiderable magnitude.—Ignorant as most of you are, it is probable that at some of the meetings which you have been lately induced to attend, you have learnt, that rather more than 150 years ago, the sovereign of this kingdom was put to death by the rebellion of his subjects, and that event was succeeded by a period of usurpation and civil war.—It is a known matter of history, that the earliest proceedings of that rebellion consisted in addressing the sovereign with petitions, affecting a humility of language, but manifesting in their substance a spirit of hostility and of dictation respecting the measures of government, and one of the earliest measures taken after the restoration of legitimate authority was to provide against persons repairing to the sovereign in excessive numbers, under the pretence of presenting petitions and remonstrances, and it is expressly provided that any persons repairing in greater numbers than ten for that purpose should be guilty of a criminal offence; and by the law of this country, all persons engaging, and conspiring to engage in, any criminal offence, are by that very conspiracy, guilty of a violation of the law, which is consider-

ably aggravated by their actually meeting for the purpose of carrying such conspiracy into execution, and no doubt whatever can be entertained that any such meeting constitutes an unlawful assembly.

“ Of the provision of the law against tumultuous petitioning, your leaders were by no means unaware, for you were expressly informed at the public meeting on the 3d of March, that only ten persons must appear with each petition, and that if eleven attended, it would be unlawful. But it would be perfectly ridiculous to suppose, that the law would suffer itself to be so trifled with, as to permit its provisions to be evaded by such a contrivance, where, in fact, a large body of several thousand persons intended to advance to the presence of the exalted person now invested with the powers of government, in regular array, associated by tens and hundreds, having a common fund for the purposes of their journey, and acting under regular leaders. The terror which such proceedings are calculated to excite will be very little diminished by a few formal exhortations to regularity and good order; and it is perfectly notorious to all of us, that your assemblage did, in point of fact, excite no slight and inconsiderable alarm, not only in the town and immediate neighbourhood, but throughout a large extent of the surrounding country. The feelings and wishes of those who were inclined to give encouragement to your proceedings were by no means secret or disguised. One person, pointing to the cottage of Mr. Brown, in which the magistrates were assembled, was heard to declare, that there the attack should begin. In various parts of the town, groups of persons were assembled, who openly declared, that the gentry had enjoyed their property long enough, and that their time was now arrived.

“ In the laborious examination, which since that time it has been my duty to make, I have taken considerable pains to ascertain the resources which you had for your intended expedition, which many of you joined under the idea of the benefit which you should receive from the general funds. I am perfectly satisfied that the whole of your resources would not have been adequate to provide for your journey beyond the distance of 40 or 50 miles, and that you would have been then unable to have either advanced or returned, except by those contributions which the terror of your numbers would have enabled you to obtain. In this state of things it is impossible to conceive that your future proceedings would have been restrained, without recourse to the strongest measures of military power; and the consequences which must have ensued are dreadful to contemplate.

“ In consequence of the investigations which have taken place, both previous and subsequent to this illegal meeting, some persons, to whom, as leaders in the scene of illegality, the greatest degree of guilt is to be imputed, have been removed to the metropolis; where

their cases are at present undergoing the consideration of the principal officers of His Majesty's government. And, without taking upon myself to form a judgment as to what the result of those inquiries may be, I think it right to advert to the possibility, that the persons in question may be called upon to answer an accusation of the highest nature.

" In the course of our own inquiries, four persons of the names of Standring, Grimshaw, Lever, and Lee, have persisted in asserting the legality of their conduct, and have refused to avail themselves of the opportunity of obtaining their liberation upon finding sureties; it has therefore been thought expedient that these persons should be committed to Lancaster, to await such prosecution as it may be there thought proper to institute against them. Another person, of the name of Lythgoe, has been also committed, on account of his having provided himself with a knife, not calculated for ordinary purposes, and which there was reason to think he might have intended to apply in an improper manner.—John Williams, who officiated as secretary at these meetings, and Samuel Blackshaw, who is charged with having been very active in the riotous transactions of 1812, have also been subjected to a similar commitment. George Murray, upon the representation of his character, was on Monday last liberated, without being required to find sureties. On the day following he was detected in the act of throwing a seditious paper over the wall of the prison, stating that information had been received from a person whose name is mentioned, that a great body of persons could be still assembled, and that they hoped to pull through! This man, was of course also detained, and has been likewise committed to Lancaster, to answer for his conduct.

" It remains only to dispose of the cases of the persons who are now present; who, as I am informed, concur in expressing contrition for their conduct, and an assurance that they have been misled by the improper proceedings of others. Previous, however, to giving directions for your discharge, I think it proper to advert to the very improper reflections which have been made in one of the papers published in this town, upon the conduct of those who have been conscientiously engaged in the exercise of a most arduous and important duty: in respect to which it is asked, by ' what authority, ' or under what law, old or new, the peaceable, patient, and distressed ' individuals, who composed the meeting at large, were *dragooned* into ' dispersion,' &c. &c.

" I also think it necessary to allude to two anonymous letters, of a very improper and threatening character; the one addressed to the commanding officer at the Barracks, the other to the public officers of the town.—Upon inquiry, it appears that threatening letters, of the same hand-writing, have been addressed to different

persons for a long series of years. They seem to indicate some slight smattering of legal knowledge, but it will be well for the author of them to consider how far it is expedient for him to amuse himself with a repetition of libels which are subject to capital punishment; as, although he has hitherto escaped detection, that perhaps may not always continue to be the case.

“ The magistrates have been sorry that, in consequence of the crowded state of the prison, your confinement has been attended with greater hardship than it was their disposition to inflict. During the period of upwards of twenty years that I have been in the habit of attending the sessions of this place, I have uniformly heard a report from the grand jury of the good order of the prison, and the satisfaction of the persons confined, with the treatment which they have experienced. We have lately lost the valuable officer, who, during the whole of that time has had the superintendance of the prison, and has been equally distinguished for his abilities and humanity; and we have for a space of near two years had an opportunity of observing the same qualities in his son, who has recently been appointed to succeed him. By this officer, as well as by the medical gentleman attending the prison, the most anxious attention has been paid to your situation; and although your confinement has been unfavourably attended with considerable severity, there has been the utmost desire to afford to you every alleviation which the circumstances and situation of the prison would admit. But any hardships which you may have endured in this place are slight and inconsiderable, in comparison with those which you must by this time have experienced, in case you had proceeded on your lawless expedition.

“ In dismissing you to your own homes, I hope you will remember the situation in which you have been placed, and endeavour to apply, by honest industry, to the support of yourselves and families. I am perfectly aware, that the period which has just elapsed has been one attended with very considerable distress: but the privations arising from the pressure of that period have been by no means confined to one class and situation of society; and a general disposition has been shewn by all classes of the community to contribute, according to their opportunities and ability, to the mitigation of the sufferings of those around them. But whatever distress you may hereafter experience, be assured, that you will never be able to procure the alleviation of it from the violation of the law, and that your own comfort will, under all circumstances be most essentially consulted, by endeavouring to do your duty in that situation of life into which it hath pleased God to call you.”



